

December 19, 2009



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 13249
(THIRD REVISION)

EXPIRATION DATE: July 31, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Creative Engineers, Inc.
York, PA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of sodium in DOT-4BW240 or DOT-4BW260 cylinders that are visually inspected externally instead of the required hydrostatic requalification. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 180.209(g) in that a periodic external visual inspection is performed instead of the required hydrostatic test and internal visual inspection for the specified material; and § 173.211 in that use of a DOT-4BW240 or DOT-4BW260 cylinder is not authorized, except as specified herein.

5. BASIS: This special permit is based on the application of Creative Engineers. Inc. dated June 22, 2009 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Sodium	4.3	UN1428	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging is a DOT Specification 4BW240 or DOT-4BW260 cylinder. Each cylinder is subject to the following requirements:

(1) The lading must be charged with a nitrogen or argon blanket not exceeding 5 psig.

(2) The cylinder pressure at 115°F may not exceed 15 psig, including pressure exerted by the nitrogen or argon blanket.

b. OPERATIONAL CONTROLS:

(1) Each cylinder must be exclusively used in sodium service.

(2) The lading must be commercially free from corroding components.

c. TESTING:

(1) Each cylinder must be given a complete external visual inspection at least once every five (5) years in accordance with § 180.209(g). The inspection must be in accordance with Compressed Gas Association (CGA) Pamphlet C-6 as referenced in the § 171.7 table. The cylinder must be approved, rejected or condemned according to the criteria in the pamphlet. A cylinder which fails the visual inspection must be removed from

service and stamped condemned as specified in § 180.205(i) (2).

(2) Each person performing the visual inspections authorized by this special permit must be in compliance with approval requirements of § 107.805(f); have a copy of CGA Pamphlet C-6 and be familiar with its acceptance/rejection criteria; and have a current copy of this special permit, 49 CFR Parts 100 - 185, and other reference material required by the applicable sections of § 173.301 and this special permit.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, or motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: DB/sln